

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, et al.,

Plaintiffs,

v.

CLEMENTINE RESTAURANT LLC, et al.,

Defendants

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No. C-09-2973 MMC


**ORDER DIRECTING PLAINTIFFS TO  
SHOW CAUSE WHY ACTION SHOULD  
NOT BE DISMISSED FOR FAILURE TO  
PROSECUTE**

By order filed July 1, 2009, the parties and counsel were directed to conduct a joint inspection of the premises at issue herein and to do so no later than October 9, 2009. (See Scheduling Order for Cases Asserting Denial of Right of Access Under Americans With Disabilities Act Title II & III, filed July 1, 2009.) Further, plaintiffs were ordered to file, no later than 45 days after the joint site inspection, a Notice of Need for Mediation. (See id.) To date, plaintiffs have not filed a Notice of Need for Mediation.

Accordingly, plaintiffs are hereby ORDERED TO SHOW CAUSE, in writing and no later than January 15, 2010, why the above-titled action should not be dismissed for failure to prosecute. In the event plaintiffs file a Notice of Need for Mediation on or before January 15, 2010, this Order to Show Cause will stand discharged without further order of the Court.

**IT IS SO ORDERED.**

Dated: December 29, 2009

  
MAXINE M. CHESNEY  
United States District Judge